

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

KIM NAUGLE and AFRIKA
WILLIAMS, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

META PLATFORMS, INC.,

-and-

DUKE UNIVERSITY HEALTH
SYSTEM, INC., WAKEMED, and a
Defendant Class of Facebook Partner
Medical Providers,

Defendants.

Case No. 1:22-CV-00727-UA-JEP

**DEFENDANT WAKEMED'S MOTION TO DISMISS
PLAINTIFFS' CLASS ACTION COMPLAINT**

COMES NOW Defendant WakeMed Health and Hospitals ("WakeMed") and, pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and other applicable law, moves to dismiss all of Plaintiffs' claims brought against WakeMed in their Class Action Complaint because each claim fails to state a claim upon which relief can be granted. In support of its Motion to Dismiss, WakeMed relies on the Memorandum of Law filed contemporaneously herewith.

Respectfully submitted this 8th day of November, 2022.

/s/ Matthew P. McGuire

Matthew P. McGuire

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CERTIFICATE OF SERVICE

I certify that on November 8, 2022, I electronically filed the foregoing **DEFENDANT WAKEMED'S MOTION TO DISMISS** with the Clerk of Court using the CM/ECF system, which automatically provides electronic notice to all counsel of record.

/s/ Matthew P. McGuire _____

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